

**REMARKS**

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

**Disposition of Claims**

Claims 1-5 and 8-21 are currently pending. Claims 6-7 are canceled by this reply, without prejudice or disclaimer. Claims 1 and 19-21 are independent. The remaining claims depend, directly or indirectly, from claim 1.

**Claim Amendments**

Independent claim 1 has been amended for purposes of clarification. No new matter is added by way of these amendments, as support for these amendments may be found, for example, at least in paragraphs [0044] and [0058] of the publication of the present application.

**Rejection(s) under 35 U.S.C. § 103(a)*****Claims 1-17 and 19-21***

Claims 1-17 and 19-21 are rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent No. 5,663,605 (“Evans”) in view of US Patent No. 6,512,318 (“Torok”). Claims 6-7 are canceled by this reply; thus, this rejection is moot with respect to claims 6-7. To the extent that this rejection may still apply to the amended claims, this rejection is respectfully traversed.

MPEP § 2143 states that “[t]he key to supporting any rejection under 35 U.S.C. 103 is the clear articulation of the reason(s) why the claimed invention would have been obvious. The Supreme Court in KSR noted that the analysis supporting a rejection under 35 U.S.C. 103 should be made explicit.” Further, when combining prior art elements, the Examiner “must articulate the following: (1) a finding that the prior art included each element claimed, although not

necessarily in a single prior art reference, with the only difference between the claimed invention and the prior art being the lack of actual combination of the elements in a single prior art reference....” MPEP § 2143(A).

The independent claims have been amended to recite that the arrangement of magnets and coil poles form a plurality of *distinct* elementary patterns, where each distinct elementary pattern is repeated a number (Nme) of times. *See* publication of present application, paragraph [0044] and [0058]. Applicant respectfully asserts that Evans fails to teach or suggest a plurality of distinct elementary patterns, each of which may be repeated.

An elementary pattern is clearly defined in paragraph [0058] of the publication of the present application as “a set of magnets and coils associated with a specific order and distributed over all or part of the contour of the rotor.” Under *Phillips*, the Examiner is required to read the claimed limitations in light of the Specification. In particular, “[t]he person of ordinary skill in the art is deemed to read the claim term not only in the context of the particular claim in which the disputed term appears, but *in the context of the entire patent, including the specification.*” *See Phillips*, 415 F.3d 1303 at 1313 (Fed. Cir. 2005) (*en banc*) (emphasis added).

Applicant asserts that the Examiner has completely ignored the formation an elementary pattern (me) by the arrangement of a number of magnets and coil poles. The Examiner cites Fig. 1 of Evans as teaching an elementary pattern. *See* Office Action mailed December 12, 2008, p. 3. However, Fig. 1 does not show a specific arrangement and use of a specific number of magnets and coil poles to form any type of *pattern*. Instead, Fig. 1 of Evans merely shows a rotor (10) with 12 magnetic poles. Further, a complete review of Evans reveals that Evans does not mention any type of pattern being formed by the magnets and coil poles in the description of Fig. 1. *See* Evans, col. 2, ll. 32 – col. 3, ll. 23. In fact, the only “arrangement” of the magnetic poles mentioned in Evans is that the poles are wound with windings, where for each adjacent

pair of wound poles, the windings on the two adjacent poles are wound in opposite directions. See Evans, col. 2, ll. 54-57. However, even assuming *arguendo* that the aforementioned disclosure in Evans teaches some type of pattern, it is clear that an *elementary pattern* as required by the claimed invention is not formed.

Thus,, it is clear that Evans fails to teach or suggest an elementary pattern. It logically follows that Evans fails to teach or suggest forming a plurality of *distinct elementary patterns*, at least one of which is repeated in the arrangement of magnets and coil poles. At best, Evans teaches *a single pattern* for the entire rotor, which the arrangement described above with respect to the windings and the magnetic poles.

Further, Torok fails to supply that which Evans lacks, as evidenced by the fact that the Examiner relies on Torok solely for the purpose of teaching a reluctance pole. *See* Office Action mailed December 12, 2008, p. 3.

In view of the above, it is clear that Evans and Torok, whether considered separately or in combination, fail to render the claimed invention obvious. Thus, independent claims 1 and 19-21 are patentable for at least the reasons described above. Pending dependent claims are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claim 18

Claim 18 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Evans and Torok, in view of US Patent No. 6,847,143 (“Akemakou”). To the extent that this rejection may still apply to the amended claims, this rejection is respectfully traversed.

As described above, Evans and Torok fail to teach the limitations of amended independent claim 1. Further, Akemakou fails to supply that which Evans and Torok lack, as

evident by the fact that the Examiner relies on Akemakou solely for the purpose of teaching that the device may be used as an alternator-starter. *See* Action mailed December 12, 2008, pp. 7-8. In view of the above, it is clear that amended independent claim 1 is patentable over Evans, Torok, and Akemakou, whether considered separately or in combination. Dependent claim 18 is patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

### Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number [17170/006001]).

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Respectfully submitted,

By \_\_\_\_\_

Jonathan P. Osha  
Registration No.: 33,986  
OSHA · LIANG LLP  
909 Fannin Street, Suite 3500  
Houston, Texas 77010  
(713) 228-8600  
(713) 228-8778 (Fax)  
Attorney for Applicant